

Agenda Item	7
Report No	CIA/4/19

HIGHLAND COUNCIL

Committee: City of Inverness Area Committee

Date: 21 February 2019

Report Title: Inverness and Nairn Local Access Forum Appointment

Report By: Director of Development and Infrastructure

1 Purpose/Executive Summary

1.1 The purpose of this report is to detail the work of the Local Access Forum and for the committee members to approve the appointment of new forum members.

2 Recommendations

2.1 The Committee is invited to:

- i. consider the applications submitted to fill the Access Taker vacancy on the Local Access Forum;
- ii. approve the appointment of the preferred candidate; and
- iii. approve a solution to selecting a preferred candidate should the Nairnshire Committee not endorse the same candidate.

3 Introduction

- 3.1 Local Access Forums were created in Highland in 2005 as a duty of the Council set out in the Land Reform (Scotland) Act 2003
- 3.2 The Local Access Forum advises the Highland Council on countryside access issues and provides assistance in resolving disputes in relation to the exercise of access rights, the delineation and existence of public rights of way and the amendment of the Council core paths plan.
- 3.3 The membership of the Inverness and Nairn forum is made up of 10 members of the public and three Highland Councillors. Representation is balanced across a range of interested groups in each of the following categories:
- **Land managers** – estate owners, crofters, farmers, foresters (3 representatives)
 - **Community groups** – community councils, environmental groups, local path development groups (3 representatives)
 - **Access takers** – walkers, cyclists, horse riders, canoeists (3 representatives)
 - **Disability access panel** – one representative.
- 3.4 Local access forums in Highland operate across the following geographical areas:
- Caithness
 - Sutherland
 - Ross and Cromarty
 - Skye and Lochalsh
 - Lochaber (including southern parts of Badenoch and Strathspey)
 - Inverness and Nairn (including northern parts of Badenoch and Strathspey)
- 3.5 The Council appoints members to the forum and this power is delegated to the area committees.
- 3.6 The forums meet twice a year, but can meet more frequently should demand arise for the forums' feedback. Members of the forum are entitled to claim travel and approved out of pocket expenses from the Access budget in the Development and Infrastructure Service.

4. Existing forum membership and new applicants

- 4.1 Existing members of the local access forum were asked if they wished to continue their membership of the forum for a further 5 year term. These members are below:

Table 1

Name	Representative Group	Comments
Candy Cameron	Land manager	
Elizabeth Walsh	Land manager	Scottish Land and Estates
Hugh [Hamish] McBean	Community	
Tommy Hogg	Community	Nairn River Community Council
Harry Lakeland	Access taker	Ramblers
Iain Pocock	Access taker	
Liz MacDonald	Highland Councillor	
Andrew Jarvie	Highland Councillor	
Elizabeth McAllister	Highland Councillor	

- 4.2 The Forum has 4 vacant positions; one each for a land manager, community group, access taker and disability access panel representative. A press release and public notice was advertised in May 2018 for new members to fill the vacant places, again for a five year term.
- 4.3 4 applications were received for the Access Taker role. The applicants are listed in **Table 2** below. Copies of their application forms are in **Appendix 1**.

Table 2

Name	Representative Group	Comments
Graham Tuley	Access taker	Scotways
Eve MacDonald	Access taker	
Bob Hemingway	Access taker	
Peter Evans	Access taker	Mountaineering Scotland

- 4.4 The preferred candidate is **Peter Evans**. His application has been endorsed by Mountaineering Scotland and he has been involved in core paths planning in another local authority areas. Mr Evans has a good breadth of experience in the outdoors and believes he can make a positive contribution to the forum. His experience will bring additional value to that of other Forum members.
- 4.5 In the event that the City of Inverness Committee approves a candidate who is not endorsed by the Nairnshire Committee the decision will be delegated to the Inverness and Nairn Local Access Forum. They will be polled electronically. The candidate with the most votes will be appointed to the Forum.
- 4.6 For the remaining or subsequent vacancies on the Forum within the 5 year term Council officers will seek to invite suitable persons, agreed by the Forum members, to sit on the forum. Such applications will come to the area committees for approval.

5. Implications

- 5.1 Resource – funding from within existing resources to cover meeting rooms, site visits, hospitality and travelling expenses.
- 5.2 Legal - none
- 5.3 Community (Equality, Poverty and Rural) - Membership of the forum is open to all those who qualify for one of the three membership categories.
- 5.4 Climate Change/Carbon Clever - Forum members are encouraged to share transport to meetings and when site meetings are necessary an appropriate vehicle is hired to transport all Forum members to the site.
- 5.5 Risk – None
- 5.6 Gaelic – None

Designation: Director of Development and Infrastructure

Date: 07 February 2019

Author: Stewart Eastaugh, Access Officer

Appendix 1 – LAF Applications

A. APPLICANT DETAILS

NAME:	Peter Evans
ADDRESS:	Inverness
LOCATION OF FORUM APPLIED FOR (e.g. Inverness, Lochaber)	Inverness and Nairn
CATEGORY OF REPRESENTATION (e.g. land owner, access user, community group etc)	Access user
ORGANISATION DETAILS/RELATIONSHIP TO APPLICANT	
DETAILS OF ANY PREVIOUS PUBLIC APPOINTMENTS?	

B. SKILLS/ABILITIES RELEVANT TO THE POST:

Please outline below how you believe you will be able to contribute to the work of a Local Access Forum (in approximately 250 words) Please continue on a separate sheet if needed.

As a mountaineer I walk and climb locally and across the Highlands in all seasons. I'm a former editor of both The Great Outdoors and Climber magazines and contribute a regular outdoors column to the Inverness Courier and its sister publications. My outdoor activities mean that I am familiar with the sorts of issues that can arise with regard to countryside access and have always taken an interest in ensuring that the rights of walkers and climbers are maintained. Before moving to Inverness eight years ago I contributed to the development of the core paths network in Clackmannanshire. Given the level of experience I have of Scotland's countryside, I believe I can make a positive contribution to the local access forum.

C. SIGNATURE OF APPLICANT

Peter Evans

..... Date May 30, 2018.....

D. ENDORSEMENT BY SUPPORTING ORGANISATION (if applicable)

Mountaineering Scotland

..... Date May 30, 2018.....

A. APPLICANT DETAILS

NAME:	Bob Hemingway
ADDRESS:	Kiltarlity
LOCATION OF FORUM APPLIED FOR (e.g. Inverness, Lochaber)	Inverness or Ross and Cromarty
CATEGORY OF REPRESENTATION (e.g. land owner, access user, community group etc)	Access user
ORGANISATION DETAILS/RELATIONSHIP TO APPLICANT	
DETAILS OF ANY PREVIOUS PUBLIC APPOINTMENTS?	

B. SKILLS/ABILITIES RELEVANT TO THE POST:

Please outline below how you believe you will be able to contribute to the work of a Local Access Forum (in approximately 250 words) Please continue on a separate sheet if needed.

Having lived in Scotland before the current access legislation and travelled abroad where the right to roam is often quite restricted I am keen to see our current liberal access rights are maintained and respected.

I have been a lifelong hill walker and cyclist, mainly in Scotland, and so am well aware of the history of land access in Scotland. I also firmly believe that our current rights of access should always be taken responsibly.

Member of Cycling UK, Highland Cycle Campaign, Mountaineering Council of Scotland
Munro completist, almost Corbett completist (15 to go)

C. SIGNATURE OF APPLICANT

R S Hemingway

Date 20-June 2018

D. ENDORSEMENT BY SUPPORTING ORGANISATION (if applicable)

..... Date

A. APPLICANT DETAILS

NAME:	Eve MacDonald
PERSONAL APPLICATION/ON BEHALF OF ORGANISATON ** please delete	
LOCATION OF FORUM APPLIED FOR (e.g. Inverness, Lochaber)	Inverness and Nairn
CATEGORY OF REPRESENTATION (e.g. land owner, access user, community group etc)	Access User; Walker, horse rider and cyclist
ORGANISATION DETAILS/RELATIONSHIP TO APPLICANT	
DETAILS OF ANY PREVIOUS PUBLIC APPOINTMENTS?	

B. SKILLS/ABILITIES RELEVANT TO THE POST:

Please outline below how you believe you will be able to contribute to the work of a Local Access Forum (in approximately 250 words) Please continue on a separate sheet if needed.

As I have a good local knowledge of the area. Having lived here for 30+ years and am retired therefore have plenty of spare time. I am a walker, horse rider and mountain biker. In the past I have been involved in access issues in my area, so understand the need for people to get involved.

C. SIGNATURE OF APPLICANT

..... Date

D. ENDORSEMENT BY SUPPORTING ORGANISATION (if applicable)

..... Date

A. APPLICANT DETAILS

NAME:	Graham Tuley
ADDRESS:	Inverness
ON BEHALF OF ORGANISATON ScotWays	
LOCATION OF FORUM APPLIED FOR (e.g. Inverness, Lochaber)	Inverness
CATEGORY OF REPRESENTATION (e.g. land owner, access user, community group etc)	Access User
ORGANISATION DETAILS/RELATIONSHIP TO APPLICANT	Active member of ScotWays
DETAILS OF ANY PREVIOUS PUBLIC APPOINTMENTS?	Retired from Forestry Commission. Have been a member of the committee of various charitable bodies [not all had charitable status].

B. SKILLS/ABILITIES RELEVANT TO THE POST:

Please outline below how you believe you will be able to contribute to the work of a Local Access Forum (in approximately 250 words) Please continue on a separate sheet if needed.

Active member of ScotWays, Living Streets and Highland Cycle Campaign. Chartered forester who when responsible for the Forestry Commission woodlands around Aberdeen used local signs with "Walkers are Welcome" on them to promote access. Several years later a "Walkers Welcome" package of signage was adopted by the Forestry Commission. Now retired I work in my own woodland on the Black Isle where I built paths and encourage responsible access. Very knowledgeable about the Land Reform (Scotland) Act because my wife and I went to the Court of Session to challenge The Highland Council's decision that we must allow horses to use our footpaths and make them muddy and unsuitable for walkers. Local authorities should not use the costs associate with our case as an excuse to not challenge irresponsible land owners who restrict access.

C. SIGNATURE OF APPLICANT

.....G Tuley..... Date ...30 June 2017.....

D. ENDORSEMENT BY SUPPORTING ORGANISATION (if applicable)

.....K.Inkster..... Date7th July 2017.....